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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,729	10/27/2003	Akihiko Tateiwa	300.1136	9713
21171	7590	05/26/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			STAHL, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,729

Applicant(s)

TATEIWA

Examiner

Mike Stahl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/27/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Specification

The specification is objected to because of the following informality: In Tables 1 and 2 (both on p. 9), “ °C ” should just be “ ° ” since the degrees are in reference to an angle, not to a temperature.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art shown in fig. 6 of this application. Note MPEP 2129 section II.

Claim 1: Fig. 6 discloses a tape-like fiber cable 10 comprising: a plurality of optical fibers arranged in parallel to each other and each abutted to an adjacent fiber, each of the optical fibers including a cover 14 and a lead 12 extending from the cover, the extending portion of the lead comprising a single mode fiber 12a, adjacent to the cover, having a terminal face and a graded index optical fiber 12b fused to that face; a terminal face of the respective lead being formed as an inclined surface which is inclined with respect to a plane perpendicular to an optical axis of the lead; a plane of the tape-like cable and the respective terminal faces of the leads perpendicularly intersecting with respect to each other, and an intersection between the

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plane of the cable and the terminal face being inclined by an angle θ with respect to the optical axis of the lead.

Claims 2-4: The specification indicates that the terminal faces of the fibers are held in a jig and ground to the desired angle (p. 2 lns. 23-29). Optical fibers are inherently flexible. Therefore it is inherent that the fibers, when pushed into contact with the grinding surface, would be resiliently bent at least slightly. Thus the process of making the fig. 6 device would include all the steps of claims 2-4.

It appears that claim 1 would distinguish over fig. 6 if it recited that the respective terminal faces of the leads are not coplanar with one another; or alternatively, if it recited that the leads all have a substantially equal length.

Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Chiba et al. (US 2003/0077034).

Chiba discloses a method of forming an inclined surface at a terminal face of a lead of an optical fiber 1 including a cover and the lead extending therefrom, the inclined surface 103 being inclined by a certain angle with respect to a plane perpendicular to an optical axis of the lead, the method including the steps of pushing the terminal face of the lead toward a grinding surface while moving in a certain direction. Since the fiber tip extends beyond the jig by up to several millimeters, some flexure upon contact with the grinding surface 181 is inherent. See figs. 4A-5 and [0057]-[0062].

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Conclusion


The additional references listed on the attached PTO-892 form are considered generally relevant to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Stahl at 571-272-2360. Inquiries of a general or clerical nature (e.g., a request for a missing form or paper, etc.) should be directed to the technical support staff supervisor at 571-272-1626. Official communications which are eligible for submission by facsimile and which pertain to this application may be faxed to 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSS

Mike Stahl
Patent Examiner
Art Unit 2874

May 22, 2005


Rodney Bovernick
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